

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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Bey, et al.,	:
	:
Plaintiff,	: Civ. No. 18-4655 (JBW)(SJB)
	:
-against-	: DECLARATION OF AYMEN
	: A. ABOUSHI IN SUPPORT
City of New York, Daniel Nigro, Karen Hurwitz,	: OF PLAINTIFFS' MOTION
Shenecia Beecher, FDNY, John and Jane Does 1-10.	: FOR SUMMARY
	: JUDGMENT
Defendants.	:
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I, Aymen A. Aboushi, hereby affirm the following with the understanding that if any statement is willfully false, I am subject to punishment.

1. I represent Plaintiffs in this action.
2. I submit this Declaration in support of Plaintiffs' Motion for Summary Judgment Pursuant to Rule 56 of the Federal Rules of Civil Procedure.
3. The parties conducted discovery in this matter jointly with the case captioned Kevin Hamilton v. City of New York, et al., Civ. No. 18-4657 (NGG)(JO).
4. Attached hereto as Exhibit 1 is a true and accurate copy of the Amended Complaint Filed in this matter.
5. Attached hereto as Exhibit 2 is a true and accurate copy of Plaintiff Salik Bey's Deposition Transcript dated January 3, 2019.
6. Attached hereto as Exhibit 3 is a true and accurate copy of Plaintiff Clyde Philips' Deposition Transcript dated January 3, 2019.
7. Attached hereto as Exhibit 4 is a true and accurate copy of Plaintiff Terrel Joseph's Deposition Transcript dated March 20, 2019.

8. Attached hereto as Exhibit 5 is a true and accurate copy of Plaintiff Steven Seymour's Deposition Transcript dated March 12, 2019.
9. Attached hereto as Exhibit 6 is a true and accurate copy of Kevin Hamilton's Deposition Transcript dated March 20, 2019.
10. Attached hereto as Exhibit 7 is a true and accurate copy of Hilit Tolani's Deposition Transcript dated April 24, 2019.
11. Attached hereto as Exhibit 8 is a true and accurate copy of Dr. Karen Hurwitz's Deposition Transcript dated March 29, 2019.
12. Attached hereto as Exhibit 9 is a true and accurate copy of Joseph Jardin's Deposition Transcript dated March 14, 2019.
13. Attached hereto as Exhibit 10 is a true and accurate copy of Regina Wilson's Deposition Transcript dated April 24, 2019.
14. Attached hereto as Exhibit 11 is a true and accurate copy of Dr. Shenecia Beecher's Deposition Transcript dated March 29, 2019.
15. Attached hereto as Exhibit 12 is a true and accurate copy of Don Nguyen's Deposition Transcript dated March 5, 2019.
16. Attached hereto as Exhibit 13 is a true and accurate copy of Valerie Loubriel's Deposition Transcript dated April 24, 2019.
17. Attached hereto as Exhibit 14 is a true and accurate copy of FDNY Commissioner Daniel Nigro's Deposition Transcript dated May 2, 2019.
18. Attached hereto as Exhibit 15 is a true and accurate copy of an OSHA Opinion dated May 9, 2016.

19. Attached hereto as Exhibit 16 is a true and accurate copy of Dr. C. J. Abraham's Expert Report with attachments.
20. Attached hereto as Exhibit 17 is a true and accurate copy of Dr. Marc Serota's Expert Report with attachments.
21. Attached hereto as Exhibit 18 is a true and accurate copy of Don Nguyen's Executive Summary.
22. Attached hereto as Exhibit 19 is a true and accurate copies of the Plaintiffs' fit test results.
23. Attached hereto as Exhibit 20 is a true and accurate copies of the Plaintiff's duty determinations.
24. Attached hereto as Exhibit 21 is a true and accurate copies of Action Sheets from the Plaintiffs' FDNY files.
25. Attached hereto as Exhibit 22 is a true and accurate copies of FDNY firefighters with facial hair fighting fires after May 2018.

Dated: New York, New York
August 15, 2019

/s/ Aymen A. Aboushi
Aymen A. Aboushi, Esq.
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